

IDAHO BOARD OF MASSAGE THERAPY
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Minutes of 11/2/2020

BOARD MEMBERS PRESENT: Justin Kobbe Solace - Chair
Mary Jo White, D.C.
Riki Nagle-Ker

BOARD MEMBERS ABSENT: Carla A. Steen

DIVISION STAFF: Russell Barron, Division Administrator
Dawn Hall, Section Chief
Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Greg Floyd, Financial Unit Manager
Candace Villarreal, Board Specialist

OTHERS PRESENT: Lance Giles, Eiguren Ellis Public Policy

The meeting was called to order at 9:30 AM MST by Justin Kobbe Solace.

APPROVAL OF MINUTES

Dr. White made a motion to approve the minutes of 10/7/2020. It was seconded by Ms. Nagle-Ker. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

EXECUTIVE SESSION

Dr. White made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. Nagle-Ker. The vote was: Dr. White, aye; Ms. Nagle-Ker, aye; and Mr. Kobbe Solace, aye. Motion carried.

Ms. Nagle-Ker made a motion to come out of executive session. It was seconded by Dr. White. Motion carried.

DISCIPLINE

Ms. Peel presented a settlement order in case number MAS-2021-2. Dr. White made a motion to approve the order and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Nagle-Ker. Motion carried.

DIVISION BUSINESS

LAWS AND RULES

Mr. Crema presented the proposed rules and stated that the Board received no comments from the public during the three-week comment period. The Division submitted comments consistent with the Governor's Red Tape Reduction Act. Following Board discussion, Ms. Nagle-Ker made a motion to move IDAPA 24.27.01, the Rules of the Idaho State Board of Massage Therapy, as published in the September 16, 2020 edition of the Idaho Administrative Bulletin and as amended by the Board's adoption of comments submitted by Idaho Division of Occupational and Professional Licenses (DOPL) to pending status. It was seconded by Dr. White. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$421,622.92 as of 9/30/2020.

TO DO LIST

The Board reviewed the To Do List and no action was taken.

SET NEXT MEETING DATE

NEXT MEETING is scheduled for January 11, 2021 at 9:30 AM MST.

ANOTHER MEETING is scheduled for March 8, 2021 at 9:30 AM MST.

ANOTHER MEETING is scheduled for May 10, 2021 at 9:30 AM MDT.

ANOTHER MEETING is scheduled for July 12, 2021 at 9:30 AM MDT.

BOARD BUSINESS

REVIEW CONTINUING EDUCATION COURSE APPROVAL APPLICATION

Mr. Kobbe Solace presented recommendations regarding the Board's continuing education approval [CEU] application that course evaluation forms for students are mandatory for all approved providers, that the forms must be kept on file by the provider for the duration of the course approval; and that the forms may be requested by the Board at any time. Mr. Kobbe Solace suggested updates adding language that all sited claims should have documentation to substantiate the claims, or include disclaimers. Following Board discussion, Ms. Nagle-Ker made a motion to accept all

suggested updates, except documentation for sited claims, which was tabled for further discussion at the next Board meeting. It was seconded by Dr. White. Motion carried.

EXECUTIVE SESSION

Ms. Nagle-Ker made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Dr. White. The vote was: Dr. White, aye; Ms. Nagle-Ker, aye; and Mr. Kobbe Solace, aye. Motion carried.

Ms. Nagle-Ker made a motion to come out of executive session. It was seconded by Dr. White. Motion carried.

APPLICATIONS

Ms. Nagle-Ker made a motion to approve the following pending receipt of additional information:

901-177-831

It was seconded by Dr. White. Motion carried.

ADJOURNMENT

Ms. Nagle-Ker made a motion to adjourn the meeting at 10:42 AM MST. It was seconded by Dr. White. Motion carried.

Justin Kobbe Solace, Chair